

Amendment No. 1 to HB3552

Cobb
Signature of Sponsor

AMEND Senate Bill No. 3382

House Bill No. 3552*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-6-104(a), is amended by deleting the second sentence in subdivision (1) which reads as follows:

The board shall be composed of nine (9) members, all of whom shall be residents of this state and at least three (3) of whom shall be actively engaged as residential contractors and shall compose the residential review board to consider and handle all informal conferences pertaining to residential construction, at least two (2) of whom shall be actively engaged as commercial building contractors, at least one (1) of whom shall be actively engaged as a mechanical contractor, at least one (1) of whom shall be actively engaged as an electrical contractor, at least one (1) of whom shall be actively engaged as a highway, railroad or airport contractor, and at least one (1) of whom shall be a person who is not engaged as a contractor in any county of this state and has no commercial or professional association with the residential contracting profession or industry, either directly or indirectly.

and by substituting instead the following:

The board shall be composed of nine (9) members, all of whom shall be residents of this state and at least three (3) of whom shall be actively engaged licensed residential contractors, at least two (2) of whom shall be actively engaged as commercial building contractors, at least one (1) of whom shall be actively engaged as a mechanical contractor, at least one (1) of whom shall be actively engaged as an electrical contractor, at least one (1) of whom shall be actively engaged as a highway, railroad or airport contractor, and at least one (1)

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of whom shall be a person not engaged as a contractor in any county of this state and has no commercial or professional association with the construction profession or industry, either directly or indirectly.

All contractor appointments must have pulled at least five construction permits within the three (3) years prior to appointment. The residential contractors shall compose the residential review board and handle all informal conferences pertaining to residential construction. The other contractors will serve as the commercial review board and handle all informal conferences pertaining to commercial construction.

SECTION 2. Tennessee Code Annotated, Section 62-6-104, is amended by deleting subdivision (a)(2) and by substituting instead the following:

(a)(2) For each member appointed to the board that is a residential contractor, interested home builder groups including, but not limited to, the Home Builders Association of Tennessee, Inc. may submit lists of qualified persons to the governor; and the governor shall consult with each interested groups to determine qualified persons to fill the positions. For each contractor member appointed to the board that is a non-residential contractor, interested groups including, but not limited to, the Associated Builders and Contractors, Inc., the Associated General Contractors, Inc and the Tennessee Road Builders Association may submit lists of qualified persons to the governor, and the governor shall consult with these groups to determine qualified persons to fill these positions. Appointments made pursuant to this subdivision (a)(2) shall be made by the governor at the occurrence of a vacancy or the expiration of the respective terms of the members presently serving on the board.

SECTION 3. Tennessee Code Annotated, Section 62-6-104(a), is further amended by adding the following language as a new, appropriately designated subdivision:

() The members of the board who are contractors and appointed to the review boards shall have no record of any formal disciplinary action. Such members shall each have demonstrated an interest in improving the profession by membership in a statewide trade association directly related to their profession for at least five (5) years. Each member shall be a citizen of the United States, shall have been a resident of Tennessee for five (5) years, and shall have ten (10) years experience as a licensed contractor immediately preceding the member's appointment.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.